

Docket Number: T15-0010
ROM Date: 09/08/2016
Deadline: N/A

MEMORANDUM

TO: The Commission

FROM: Michael E. Stead, Rail Safety Program Administrator

DATE: August 25, 2016

SUBJECT: Norfolk Southern Railway Company, Jefferson County Highway Department, Webber Township Road District, the Village of Bluford and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding improving public safety at the Dove Lane/East Street highway-rail grade crossing of the Norfolk Southern Railway Company's track near Bluford, Jefferson County, Illinois, designated as crossing AAR/DOT #724751T, railroad milepost 97.36-W.

RECOMMENDATION: Enter Supplemental Order approving an Extension of Time

On February 11, 2015, the Commission entered its original Order in the above captioned matter. Norfolk Southern Railway Company (NS) and the Jefferson County Highway Department (County), on behalf of Webber Township Road District and the Village of Bluford, were each required to improve public safety at the Dove Lane/East Street grade crossing near Bluford, Jefferson County. NS was required to install automatic warning devices, crossing surface widening, and perform necessary insurance reviews and railroad flagging to allow roadway approach grade rehabilitation work, required of the County, to occur on NS's right-of-way. All work was to be completed on or before August 11, 2016.

On August 24, 2015, NS filed a progress report stating that the required automatic warning devices were in service. On October 20, 2015, the County reported that a contract was to be awarded on October 26, 2015. On January 22, 2016, the County reported that roadway construction was anticipated to commence as soon as weather would permit in the spring of 2016.

On April 19, 2016, and again on June 8, 2016, Staff of the Commission's Railroad Safety Section (Staff) performed inspections at the crossing. Staff confirmed the completion and proper operation of the crossing signals, and completion of the crossing surface widening. Staff observed that the ground was not yet firm enough to support heavy equipment required for the roadway approach work.

Staff contacted NS and the County on July 13, 2016, to request expedited coordination and handling of any outstanding items needed to allow construction to commence. On August 8, 2016, Staff requested the completion status of the required roadway approach

work. An NS representative replied that railroad protective liability insurance policy revisions were still required that would take up to one week to process on an expedited basis once complete originals were received at NS.

On August 11, 2016, NS and the County late-filed a Joint Petition for Supplemental Order requesting a time extension, to and including November 11, 2016, to complete the work required in this docket.

Despite communication failures that have occurred and the late nature of the Joint Petition filed in this docket, Staff believes that the County and NS have recently shown they are cooperatively working to complete the remaining work required of each in the shortest time possible. Staff believes that it is fair and reasonable to grant both the County and NS additional time to complete the work required of each by the Commission in this docket. The County's approved roadway approach plans call for a bituminous surface treatment "chip seal". This in turn requires construction in accordance with the Illinois Department of Transportation's (IDOT) *Standard Specifications for Road and Bridge Construction*, which does not allow for chip seal placement after October 30 in any given year.

Staff recommends that a shorter time extension, to and including October 30, 2016, be granted to both the County and NS for each to complete its required work in this docket. I recommend entry of the attached Supplemental Order.

Attachment
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